

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JOSE MARIA MOYA, INDIVIDUALLY §
AND AS ADMINISTRATOR OF THE §
ESTATE OF JOSE MARIA SAUCEDA, JR., §
DECEASED; JOSE MARIA SAUCEDA, §
SR.; MARIA SOLIS; ALICIA MOYA; §
LAURA LOZANO AS NEXT FRIEND OF §
JOEL SAUCEDA, A MINOR, AND §
CHRISTINA M. SCOTT AS NEXT FRIEND §
OF ANGEL SAUCEDA, A MINOR §

VS.

CITY OF PASADENA, TEXAS, AND §
DETECTIVE MIKE YOUNG, OFFICER §
COPPEDGE (F/N/U), OFFICER TEEPE §
(F/N/U), OFFICER PETER RUFFIN, AND §
JOHN DOES, IN THEIR INDIVIDUAL §
CAPACITIES AND IN THEIR OFFICIAL §
CAPACITIES FOR THE CITY OF §
PASADENA, TEXAS §

CASE NO. 4:12-CV-03481

JURY DEMANDED

**PARTIES' AGREED STIPULATION OF DISMISSAL OF CLAIMS AGAINST
DEFENDANTS YOUNG AND TEEPEE**

The Plaintiffs and Defendants come now jointly, pursuant to agreement of the Parties and Rule 41 of the Federal Rule of Civil Procedure, and jointly file their agreed stipulation of dismissal of claims brought against Defendants Detective Michael Young¹ and Officer Richard Teepee.²

CERTIFICATE OF CONFERENCE

1. The Parties' counsels have conferred on this matter and all Parties stipulate to this dismissal without prejudice.

¹ Sued as Detective Mike Young.

2 Sued as Officer Teepe (F/N/U).

ARGUMENTS AND AUTHORITIES

2. The Plaintiffs no longer wish to pursue claims against Defendants Young or Teepee, so the Plaintiffs therefore move, with the Defendants, to dismiss all claims against Defendants Young and Teepee without prejudice. The Defendants have filed a responsive pleading to the Plaintiffs' complaint and all Defendants agree to this dismissal.
3. This case is not a class action and a receiver has not been required nor appointed.
4. The Plaintiffs have not dismissed an action based on or including the same claim or claims against these Defendants as those presented in this suit.
5. This dismissal is agreed to be with without prejudice.

PRAYER

FOR THE FOREGOING REASONS, the Parties pray that this Court dismiss all claims asserted in this lawsuit against Defendants Young and Teepee without prejudice, with Court costs and attorneys' fees being taxed against the party incurring same.

Respectfully submitted,

/s/ Lawrence P. Wilson

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing has been forwarded to the following counsel of record in accordance with the District's ECF service rules on this 7th day of October, 2013 to:

William S. Helfand

Norman Ray Giles

Chamberlain, Hrdlicka, White, Williams

& Aughtry

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Houston, Texas 77002

/s/ Lawrence P. Wilson

1360842

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JURY DEMANDED

ORDER OF DISMISSAL

It is **ORDERED** that the Plaintiffs' claims against Defendants Detective Michael Young and Officer Richard Teepee are dismissed without prejudice. It is further;

ORDERED that all costs, including attorney's fees and expenses, are to be taxed against the party incurring the same.

SIGNED this ____ day of _____ 2013.

VANESSA D. GILMORE,
UNITED STATES DISTRICT JUDGE